an idol, and one's "right to take a *cupola* to a certain temple and to place it upon the car of the idol, and to take a *nandicola* with *tom toms* from his house to the temple, and to offer the first cocoanut to the idol" are in question on almost the next page to a quotation from Vanfleet on Collateral Attack, and from an opinion of Folger, J.; and the same principles of law govern all.

That a foreigner should deal with so many diverse American authorities as an American would do is not to be expected; and Judge Chand rightly estimates his authorities only at their intrinsic value. The Supreme Courts of the United States, Nevada, Massachusetts, and New York, the New York Court of Appeals, and the editorial force of the American and English Encyclopædia of Law seem to be stars of equal magnitude in our legal firmament, when seen from the longitude of Hyderabad. And we must thank the author for showing us how slight the difference is, in real weight of legal reasoning, between opinions delivered in our courts of high authority and in those usually less approved.

The chief defect of the book seems to be a failure thoroughly to digest the material. We get great light by a comparison of the American and Indian cases; but the different divisions of the subject do not illuminate each other as much as they might perhaps be made to do. Nor are the author's own conclusions always sufficiently emphasized; we are left to deal with the cases as best we can, without that help from general knowledge of the subject which it is the jurist's chief duty to supply. In some places apparently contradictory statements of the law are made and supported by authority, with no attempt to reconcile the cases. This fault seems however to be as rare as is customary in books on the law.

In one or two cases when a principle is put forward it is impossible to support it; as where, for instance (at Sect. 148), the author adopts the continental notion that "the domicile of the debtor (in its wide sense) is generally to give the law of the obligation." This continental doctrine has probably never been adopted by a court of common law, — fortunately, for we have enough trouble with the dispute between *lex loci contractus* and *lex loci solutionis*.

On the whole, the book is one to be cordially welcomed; and one that may well find a wide use in our country. The mere fact that the decisions of three great nations are brought together is enough to secure the work that place in legal literature which is due to useful originality and broad learning. But besides this, it gives to the American lawyer a collection of American authorities equal to that contained in any work on the subject by an author of his own country; and to the student of law it presents a fascinating picture of the application of the common law to new and strange circumstances. J. H. B.

THE HISTORICAL DEVELOPMENT OF THE JURY SYSTEM. By Maximus A. Lesser, A.M., LL.B., Rochester: Lawyers' Co-operative Publishing Company. 12 mo. pp. 274.

The true student of the law to-day does not rest contented with a mere acquaintance with so important a legal institution as the jury as it exists in its present form. He demands also a knowledge of the times which gave it birth, and the circumstances under which it was welded into its present shape. To trace this development, to bring clearly before the reader the best views on the history of this institution, is the object of

this book. Within a comparatively small space is here presented the various phases of jury trial, existing at different times and under different circumstances, in Athens, in Rome, in Ancient Germany, and in England, past and present.

In the treatment of such a subject, one which has been so carefully and thoroughly investigated, new material was hardly to be expected; nor, indeed, does our author pretend to any originality of research, but predicates his claim for consideration rather on originality in the treatment and presentation of data already at hand, than on bringing to light any new historical facts.

It is upon old and reliable books that he has built his labor, rather than upon the original multi-perplexed sources,—sometimes, we fear, to the exclusion of more recent, if not, as well, accepted authorites, which might better have been consulted, such as Aristotle's recently discovered treatise on the Athenian constitution. These well-established writers, before referred to, are quoted extensively, while the author's own boiling down of the information he has digested, is given a less prominent position. Occasionally, this system of excerpting leads to his falling into some slight errors, usually of collateral matter, which he had, perhaps unconsciously, transcribed from some well-known, though, in this instance, faulty authority.

The book is, on the whole, a good one, well arranged, readable and interesting, especially the last chapter, "The Present Aspect of the Jury," and giving a very satisfactory and clear notion of what is regarded, according to the most widely accepted theory, as the origin and development of the English Jury. D. A. E.

PRINCIPLES OF CONTRACTS. By Sir Frederick Pollock, Bart. Sixth Edition. London: Stevens and Sons. 1894. 7vo. pp. xlviii. 760.

While new editions of law books are very apt in many cases to consist of the old material, with insertions and notes by the editor which hardly add to the value of the text, in this, the sixth edition of Sir Frederick Pollock's work on contracts, a book too well known to require comment, we have a refreshing exception to the usual rule. The passages on the history of the action of Assumpsit and the doctrine of Consideration, although substantially the same as in the past, have been both revised and improved, while the paragraphs on agreements in restraint of trade have been to some extent rewritten, "in consequence," our author explains, "of the series of important judgements delivered in the court of appeals within the last few years, in cases of that class."

As no part of the law of contracts is more transitional and prone to new development than that which deals with agreements against public policy, those in restraint of trade in particular, this addition to the book is both valuable and necessary, showing as it does the expansion of that doctrine in the past few years. The other changes, too, although made in a more settled part of the law, and presenting rather new treatment of old subjects than any recent legal development, are both interesting and instructive. The history of the action of Assumpsit is laid down according to the best and most recent research, and various decisions and doctrines in the law of Consideration have been reconsidered in the light of more recent criticism. These improvements, although necessarily re-